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Committee on Economic, Social and Cultural Rights

Fifty-second session

Summary record (partial)* of the 1st meeting
Held at the Palais Wilson, Geneva, on Monday, 28 April 2014, at 10 a.m.

Chairperson: Mr. Kedzia

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Chairperson** declared open the fifty-second session of the Committee on Economic, Social and Cultural Rights. He congratulated Mr. Abashidze, Mr. Atangana, Ms. Bras Gomes, Mr. Dasgupta, Mr. Kerdoun, Mr. Ribeiro Leão and Ms. Shin on their re-election for another four-year term beginning in January 2015.

2. The adoption by the General Assembly of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system on 9 April marked an important step forward. However, the full implementation of the resolution, which provided for additional meeting time as of 2015, with a review of meeting time requirements every two years and assistance to States in fulfilling their treaty obligations, would depend on the determination of all stakeholders.

3. Following the accession by the State of Palestine, the number of States parties to the Covenant on Economic, Social and Cultural Rights had increased to 162 and, following ratification by Finland and Gabon, there were now 13 States parties to the Optional Protocol to the Covenant. He stressed the need to speed up the ratification of the Optional Protocol.

Opening statement by the Chief of the Development and Economic and Social Issues Branch (Office of the United Nations High Commissioner for Human Rights)

4. **Mr. Mokhiber** (Chief of the Development and Economic and Social Issues Branch, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that the Committee's work was very important to the Development and Economic and Social Issues Branch, which worked to disseminate the Committee's doctrine and concluding observations among various interested parties, including OHCHR field presences and United Nations country teams. As the first anniversary of the entry into force of the Optional Protocol approached, the Branch was participating in activities to promote its ratification, in OHCHR field presences and in Geneva and New York, as part of awareness-raising activities that involved the participation of the High Commissioner for Human Rights. The Branch had also contributed inputs to the Committee's general comments over the past 10 years and facilitated the submission of information to the Committee from United Nations country teams, intergovernmental organizations and non-governmental organizations (NGOs) with a view to enhancing the review of periodic reports. The Branch was also in charge of putting together the High Commissioner's thematic reports on economic, social and cultural rights and took pains to ensure that a strong human rights perspective, particularly economic, social and cultural rights, was integrated in the post-2015 development agenda.

5. While welcoming the adoption of resolution 68/268, he stressed the importance of treaty bodies harmonizing their working methods and working in a coordinated fashion, while taking account of the opinions of their members, as set out in the "Poznan formula". The forthcoming meeting of treaty body chairpersons would focus on the simplified reporting procedure, the alignment of methodologies for the constructive dialogue with States parties and the establishment of a common format for short, focused and concrete concluding observations.

6. **Mr. Sadi** asked what method the Development and Economic and Social Issues Branch used to encourage States parties to ratify the Optional Protocol to the Covenant and whether, in general, developing countries were more hesitant than others about acceding to the Optional Protocol.

7. **Mr. Mokhiber** (Chief of the Development and Economic and Social Issues Branch, OHCHR) said that the section of the Branch dealing with economic, social and cultural rights dispatched officials to hold talks with State and civil society representatives in order to evaluate whether it was appropriate to encourage them to ratify the Protocol. If those officials got the impression that the process could be successful, they designated coordinators on the ground to promote ratification and explained the repercussions of ratification at the national level. There were no indications that developing countries were more reluctant than others to accede to the Protocol.

8. **Mr. Schrijver** asked whether the State of Palestine had ratified other human rights instruments, particularly the International Covenant on Civil and Political Rights. He wished to know what stage the treaty body strengthening process had reached and whether it was likely that another resolution on the issue would be adopted by the General Assembly in the coming years.

9. **Mr. Mokhiber** (Chief of the Development and Economic and Social Issues Branch, OHCHR) said that the strengthening and rationalization of the treaty body system was continuing and that the adoption of resolution 68/268 marked a major step forward in that area. The State of Palestine had acceded to most international human rights instruments in its capacity as an observer State.

10. **Mr. Mancisidor** asked what measures the Committee could put in place to ensure that economic, social and cultural rights continued to occupy a key place in the post-2015 development agenda.

11. **Ms. Bras Gomes** welcomed the fact that the process of rationalizing the treaty bodies' working methods was continuing and asked what decisions the other committees had taken in the interests of harmonization. In her view, it would be inappropriate, from a political perspective, to encourage countries that already had difficulty in meeting their reporting obligations or in disseminating concluding observations to ratify the Optional Protocol to the Covenant.

12. **Ms. Shin** said that it was her understanding that some disadvantaged groups, such as persons with disabilities and refugees, were concerned that the post-2015 development agenda would focus exclusively on the issue of gender equality and would not take their claims sufficiently into account. She therefore wished to know whether enough importance would be attached in the agenda to eliminating inequalities and discrimination in general.

13. The fact that only a few Western European and Scandinavian countries, despite being pioneers of human rights, had ratified the Optional Protocol dissuaded developing countries from acceding to it. She therefore wished to know why developed countries, which should be sending a strong message to the rest of the world, were reluctant to ratify the Optional Protocol.

14. **Mr. Mokhiber** (Chief of the Development and Economic and Social Issues Branch, OHCHR) assured the Committee that the High Commissioner would keep it abreast of progress in the strengthening of the treaty body system at each of the Committee's sessions.

15. Although no country was beyond reproach when it came to human rights, those with a better record should indeed take the lead and ratify the Optional Protocol to set an example to others. It was therefore necessary to develop strategies to enhance promotion of the international human rights instruments and offer technical assistance to States parties that might be concerned about not being able to meet their obligations.

16. The Committee had greatly contributed to the inclusion of economic, social and cultural rights in the post-2015 development agenda, as illustrated by the references to the right to food and the right to water and sanitation in the outcome document of the Rio+20 conference. The Committee had also participated in the development of human rights

indicators, which had not been in place when the Millennium Development Goals had been established in 2000. The realization of the right to development would involve defining a separate objective to combat inequalities in general, which would have to be accompanied by careful monitoring — supported by disaggregated statistics — of the situation of particularly disadvantaged groups, such as women and girls, members of minorities, migrants, indigenous persons, persons with disabilities and older persons, who were the victims of discrimination and exclusion.

Adoption of the agenda (E/C.12/52/1)

17. *The agenda was adopted.*

The discussion covered in the summary record ended at 11 a.m.